

## REMARKS

Favorable reconsideration and allowance of this application are requested.

As an initial procedural note, the present amendment is being filed within three (3) months of the due date for filing a formal Appeal Brief (i.e., since a formal Notice of Appeal was filed on September 22, 2005 making the nominal due date November 22, 2005). Thus, petition is hereby made to extend the due date for three (3) months up to and including February 22, 2006.

As a further procedural note, the present amendment is being filed concurrently with a formal Request for Continued Examination (RCE) under 37 CFR §1.114. Accordingly withdrawal of the "finality" of the March 22, 2005 Official Action is in order so as to allow entry and consideration of the amendments and remarks presented herewith.

By way of the amendment instructions above, independent claims 1, 10 and 16 have been amended so as to emphasize that the transport part of the building has "rescue means" including a number of lifeboats required by safety regulations of a waterborne vessel to allow for waterborne evacuation of the building by a number of people consisting of *only* the maximum number A of transport personnel. Conversely therefore, the proposed amendments to the independent claims specifically require that such number of lifeboats of the rescue means is *less* than sufficient to accommodate the maximum number C of client personnel. The proposed amendments to the independent claims are thus intended to refer to structure which makes it clear that the functional premises of the building do not meet the safety regulations required of a waterborne vessel, such as a cruise ship of the cited Neimi reference (WO 99/20521). Support for such amendments may be found in the specification at page 8, lines 28-33 and page 9, lines 1-9.

Claims 21-23 are new and are dependent respectively on independent claims 1, 10 and 16. Each of such new claims requires that the functional premises are structurally separate from the transport part of the building such that the transport personnel cannot enter the functional premises during waterborne transport of the building from the dispatch location to the moored location. Support for new claims 21-23 may be found in the originally filed specification at page 9, lines 17-20.

Claims 9, 13 and 17-18 have been cancelled as redundant in view of the revisions made to their respective independent claims. Therefore, following entry of this amendment, claims 1-8, 10-12, 14-16 and 19-23 will be pending herein.

Applicants suggest that independent claims 1, 10 and 16 are patentably distinguishable over the applied references of record. Specifically, the primary reference to Neimi merely discloses a conventional "cruise" ship whereby full complement of safety means, including lifeboats, for all personnel that may be on board including both client personnel and transport personnel. Neimi therefore does not suggest at all a transportable building having a transport part with "rescue means" including a number of lifeboats required by safety regulations of a waterborne vessel to allow for waterborne evacuation of the building by a number of people consisting of **only** the maximum number A of transport personnel. Thus, Neimi directs ordinarily skilled persons away from a transportable building wherein the number of lifeboats of the rescue means is **less than sufficient** to accommodate the maximum number C of client personnel. Therefore withdrawal of the rejection advanced on the basis of Neimi alone must be withdrawn.

The secondary references to Schiff and La Brie fail to cure the deficiencies of Neimi discussed above. Accordingly rejections combining Neimi with Schiff alone and in further combination with La Brie must likewise be withdrawn.

**NIEMI**  
**Serial No. 10/043,280**  
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Every effort has been made to advance prosecution of this application to allowance. Therefore, in view of the amendments and remarks presented above, applicants suggest that this application is now in condition for allowance and Official Notice to that effect is solicited.

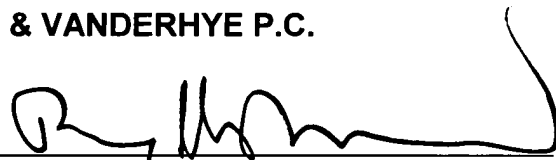
Should any small matters remain outstanding, the Examiner is encouraged to telephone the Applicants' undersigned attorney so that the same may be resolved without the need for an additional written action and reply.

An early and favorable reply on the merits is awaited.

Respectfully submitted,

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By: \_\_\_\_\_



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